

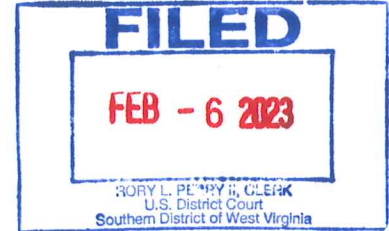


Post Office Box 320
Huntington, WV 25708
Telephone: 304.525.5700

Donald B. O'Dell
dodell@odellmediation.com

February 2, 2023

File No: 22-083



Rory L. Perry, II, Clerk
ROBERT C. BYRD UNITED STATES COURTHOUSE
P.O. Box 2546
Charleston, WV 25329

Re: Cheryl L. Carder, Administratrix of the Estates of Beverly Ann Tanner, and Raymond Glen Tanner, and Randy Tanner v. Hoveround Corporation, et al.
In the United States District Court for the Southern District of West Virginia
Civil Action No: 2:21-cv-00511

Dear Mr. Perry:

As you may know, the parties contacted me and requested that I mediate the above-referenced matter pending before Judge Johnston and scheduled for trial on August 8, 2023. Pursuant to LR Civ P 16.6.8, I submit the following report.

On January 12, 2023, a lengthy mediation session was conducted. The parties negotiated openly and knowledgeably about the case. I am pleased to report that, as a result of these mediation negotiations and numerous follow-up communications and negotiations, a final settlement of all claims has now been reached.

I am pleased to be of service to the parties, counsel, and the Court. Should you or Judge Johnston have any questions regarding the mediation, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to be "Donald B. O'Dell". The signature is stylized with a large, looped initial 'D' and a horizontal line extending to the right. Below the signature, the name "Donald B. O'Dell" is printed in a black, sans-serif font.

Donald B. O'Dell

DBO:tgc

cc: The Honorable Thomas E. Johnston
ROBERT C. BYRD UNITED STATES COURTHOUSE
P.O. Box 2546
Charleston, WV 25329



Rory L. Perry, II, Clerk
February 2, 2023
Page 2

cc: brent@fitzsimmonsfirm.com
mark@fitzsimmonsfirm.com
Brent E. Wear, Esquire
Mark A. Colantonio, Esquire
FITZSIMMONS LAW FIRM PLLC
1609 Warwood Avenue
Wheeling, WV 26003

david.sims@mywvlawyer.com
David A. Sims, Esquire
LAW OFFICES OF DAVID A. SIMS, PLLC
P.O. Box 5349
Vienna, WV 26105

whanna@flahertylegal.com
ealdrige@flahertylegal.com
William J. Hanna, Esquire
Evan S. Aldridge, Esquire
FLAHERTY SENSABAUGH BONASSO, PLLC
200 Capitol Street
Charleston, WV 25301

david.bolen@dinsmore.com
J. David Bolen, Esquire
DINSMORE & SHOHL LLP
611 Third Avenue
Huntington, WV 25701

dkahn@tysonmendes.com
David J. Kahn, Esquire
TYSON & MENDES LLP
5661 La Jolla Boulevard
La Jolla, CA 92037